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**File #: 220871**

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ORDINANCE NO. 220871

Rezoning an area of about 30.26 acres generally located at E. 87th Street and Interstate 435 from UR to UR and approving a UR development plan and preliminary plat for the construction of two buildings and a fuel island (CD-CPC-2022-00132).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1351 rezoning an area of about 30.26 acres located at E. 87th Street and Interstate 435 from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1351. That an area legally described as:

Foley Equipment 1st Plat, a Replot of Lot 1, Dean Machinery First Plat and a portion of the West One-Half of the Southeast Quarter of Section 23, Township 48, Range 33 West

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1351, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. All dumpster, mechanical and utility equipment shall be screened pursuant to 88-425-08.
2. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
3. Ordinance No. 210455, including all conditions provided therein, shall remain in full force and effect.
4. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in

accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.

5. The developer shall include the approved landscape plan with revised plans prior to receiving a building permit.
6. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 §507.1)
8. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and shall be installed and operable prior to the arrival of any combustible building materials onto the site (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2).
9. Required Fire Department access roads shall be an all-weather surface. (IFC-2012: § 503.2.3) and Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 §7.5.5). Required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3).
10. Security gates which span across a fire access road shall provide a means for emergency operation. Electric gates shall require a siren sensor device typically referred to as a “yelp gate.” (IFC-2018 § 503.6)
11. The developer shall submit water main extension drawings for new public fire hydrants along E 87th Street to meet 300’ max spacing, prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations.
12. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
13. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

A copy of said UR development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

  
Secretary, City Plan Commission

Approved as to form and legality:

  
Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
Mayor

  
Marilyn Sanders, City Clerk

OCT 10 6 2022

Date Passed